



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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**JAN 22 2009**

Ref: EPR-N

Ms. Kara Lamb  
Bureau of Reclamation, Eastern Colorado Area Office  
11056 W. County Road 18E  
Loveland, CO 80537-9711

Re: EPA Comments on the Southern  
Delivery System, Colorado Springs, CO  
Final EIS, CEQ# 20080526

Dear Ms. Lamb,

In accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and our authority pursuant to Section 309 of the Clean Air Act (CAA), 42 U.S.C. Section 7609, the U.S. Environmental Protection Agency, Region 8 (EPA) has reviewed the Bureau of Reclamation's (Reclamation) Draft Environmental Impact Statement (FEIS) for the Southern Delivery System (SDS) project.

The SDS FEIS reflects several years of extensive collaboration between Reclamation, EPA and other participating and cooperating agencies. In our role as a Cooperating Agency, EPA worked closely with Reclamation to address concerns relating to the analysis of the project's impacts to water quality and resolve differences on a range of other issues. EPA commends Reclamation for conducting extensive additional water quality analyses focusing on constituents of concern (e.g., *E. coli*, selenium and sulfate). Reclamation presented this additional information in the Supplemental Information Report (SIR). Using information from the DEIS and the SIR, Reclamation performed further evaluation of the various project alternatives. Reclamation's new evaluation resulted in a significant change to the Proposed Action.

EPA is very pleased to see the "Modified Proposed Action" has been carried through in the FEIS as the Agency-Preferred Alternative. The Modified Proposed Action would involve using Upper Williams Creek Reservoir for terminal storage, instead of building a reservoir at Jimmy Camp Creek. This change to the Proposed Action would avoid wetland impacts and eliminate impacts to cultural and paleontological sites at the Jimmy Camp Creek Reservoir site.

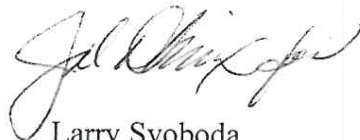
## Stormwater Management

EPA remains concerned about indirect impacts from induced growth resulting from SDS. EPA believes that the indirect impacts due to the increased flows from the reservoir and the additional developed flows from both an increase in impervious areas and landscape watering will cause greater water quality impacts than are currently identified in the FEIS. Fountain Creek has historically experienced major flooding and erosion problems. SDS would result in a 40 percent mean annual streamflow increase to Fountain Creek at Pueblo, adding to these longstanding impacts. EPA believes that the significant impacts of those increased flows have not been sufficiently addressed in the FEIS. Chapter 5.0 outlines Reclamation's and Participants' commitments to mitigation for a number of resource categories, but does not include a commitment that stormwater Best Management Practices be implemented for future growth in Colorado Springs.

As stated above, EPA believes the changes made to SDS as a result of the additional analyses and evaluations performed by Reclamation have resulted in a much improved project, with fewer impacts to water quality, cultural and paleontological resources, waters of the U.S., and habitat for a federal candidate species. EPA is satisfied with the detailed mitigation commitments provided in the FEIS to offset the water quality impacts that are projected to result from SDS. The mitigation commitments for all resource categories should be implemented through the ROD.

EPA appreciates the extensive collaboration with Reclamation in addressing our concerns through this NEPA process. If we may provide further explanation of our remaining concerns, please contact Jody Ostendorf of my staff at (303) 312-7814, or me at (303) 312-6004.

Sincerely,



Larry Svoboda  
Director, NEPA Program